



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MF

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/248,077 02/10/99 LADD

D 1298/0E486

EXAMINER

TM02/0730

DARBY & DARBY
805 THIRD AVENUE
NEW YORK NY 10022

SALAD, A

ART UNIT

PAPER NUMBER

2153
DATE MAILED:

07/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/248,077

Applicant(s)
David J. Ladd

Examiner
Abdullahi Salad

Art Unit
2153



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 14, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-16 and 27-34 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-16 and 27-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

Art Unit: 2153

Response to Amendment

1. The Amendment filed on 5/14/2001 has been entered and made of record.

Applicant's arguments with regard to claims 12-16 and 27-34 filed on 5/14/2001 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-16 and 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behr et al U.S. Patent No. 5,543,789 , and further in view of Meermans U.S. Patent No. 5,712,901

As per claims 12 and 27, Behr et al discloses a system for communicating with a wireless information device comprising the steps:

- receiving an information request (route guidance or route direction), (see fig. 1, the abstract and col. 5, line 66 to col. 6, line 13);
- as per receiving a device identification from a wireless device (to receive a response to the information request a device identification is obviously included with the information request). For example it is obvious the remote unit (pager 20) to provide the base unit a device identification which should receive response to the information request.

Art Unit: 2153

- accessing an informational database with the information request (see fig. 1, element 72);
- receiving from the informational database text format information in response to the request (see abstract);

Behr et al does not disclose processing the text format information at a remote server system including the steps of :

processing the text format information with a text-to-voice processor to generate an audio representation of the responsive; and

voice mailbox for storing an audio representation of the responsive information.

Meermans discloses a system for communicating with voice mailbox (see fig.1 element 104, the voice mail box with the phone mail unit) including a text-to-voice translator (see fig. 1, element 140) to store an audio representation of text format and voice mailbox for storing the audio representation of the of text format for later retrieval (see the abstract and col. 2, lines 35-47).

Furthermore, Behr et al disclose a system for providing a route guidance information from a base unit to a requesting remote unit. Behr et al' system further teaches the requested route guidance information is retrieved from a database unit and is communicated to the remote unit, which obviously indicate the retrieved information can be translated to another format (audio) or stored for later retrieval as taught by Meermans. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Behr et al system by employing the text-to-voice translator to translate text format information to an audio format and voice mailbox for storing the audio message for later retrieval as taught by Meermans such that users with

Art Unit: 2153

mobile or cellular phones can be given a greater access to text informational database, thus enhancing informational retrieval system.

- In considering 13-14, Behr et al discloses a system, wherein the information request contains plurality of geographic locations and the responsive information comprises driving direction between locations (see col. 3, line 51-67).
- In considering claim 15, Behr et al discloses a system, wherein the driving directions are provided in text or graphic format (see col. 3, line 51-67).
- in considering claims 28 and 29, Behr et al discloses a system, wherein the receiver comprises a computer server (see col. 3, line 46 and col. 4, lines 6-20).
- in considering claims 31 and 32, Behr discloses a system, wherein one of the connection to the informational database, the text-to-voice processor and the transmitter are contained on the same server (base unit) (see fig. 1, element 12).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16,30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behr et al U. S. Patent No. 5,543,789 as applied to claim 12 above, and further in view of Imielinski et al U.S. Patent No. 6,240,448.

Art Unit: 2153

As per claims 16 and 30. Behr et al discloses substantial features of the claimed invention including accessing the informational database from remote terminals through variety communications network.

Behr et al is silent the communications network through which the informational is accessed includes Internet-based and is accessed through HTTP emulation.

Nonetheless, accessing an informational database or business directory or map database through the Internet is well known in the art as evidenced by musk et al. Imielinski et al discloses a system, for accessing an informational database over a network, in particular the Internet obviously HTTP emulation (see col. 1, lines 9-30, and col. 2, lines 16-44). Therefore, it would have been obvious to one having ordinary skill in the art provided with the teaching of Musk et al to modify Behr et al by employing an Internet as means of communication between remote unit and base unit as taught by Imielinski et al, as this is especially advantageous, cost effective and user friendly means of retrieving large read-only database result sets in an Internet environment.

As per claims 33 and 34, Behr et al discloses a system for communicating with a wireless device (mobile device) comprising the steps:

- receiving an information request (route guidance or route direction), (see fig. 1, the abstract and col. 5, line 66 to col. 6, line 13) and device identification of the wireless device (see fig. 1, elements 18 and 20).

as per receiving a device identification from a wireless device (to receive a response to the information request a device identification is obviously included with the

Art Unit: 2153

information request). For example it is obvious the remote unit (pager 20) to provide the base unit a device identification which should receive response to the information request.

- accessing an informational database with the information request (see fig. 1, element 72);
- receiving from the informational database information in response to the request (see abstract);
- transferring the responsive information and the wireless identification information to a wireless information distribution system capable of communicating the responsive information to the wireless device (see fig. 1, element 38);

Behr et al is silent the communications network through which the informational is accessed includes Internet-based and is accessed through HTTP emulation.

Nonetheless, accessing an informational database or business directory or map database through the Internet is well known in the art as evidenced by musk et al. Imielinski et al discloses a system, for accessing an informational database over a network, in particular the Internet obviously HTTP emulation (see col. 1, lines 9-30, and col. 2, lines 16-44). Therefore, it would have been obvious to one having ordinary skill in the art provided with the teaching of Musk et al to modify Behr et al by employing an Internet as means of communication between remote unit and base unit as taught by Imielinski et al, as this is especially advantageous, cost effective and user friendly means of retrieving large read-only database result sets in an Internet environment.

Art Unit: 2153

CONCLUSION

6. The prior art made of record and relied upon is considered pertinent to the applicants disclosure.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441**. The examiner can normally be reached on Monday to Friday from **8:30AM to 5:00PM**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached at **(703)305-4792**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703)305-3900**.

AS

7/26/2001



Dung C. Dinh
Primary Examiner